



PUBLIC HEARING AGENDA

AGENDA

BOARD OF ADJUSTMENT

W E D N E S D A Y

FEBRUARY 23, 2005

(7:00 PM)

(COUNCIL CHAMBERS – 31 EAST FIFTH STREET)

The City of Tempe endeavors to make all public hearings accessible to persons with disabilities. With 48 hours advance notice, special assistance is available at public hearings for sight and/or hearing-impaired persons. Please call 350-8331 (voice) or 350-8400 (TDD) to request an accommodation to participate in a public hearing.

- **Monthly Board Dinner, 5:30 – 6:30 PM.** Located at the Development Services Department Conference Room (southeast corner of the garden level), 31 East Fifth Street.
- **Pre-Session – begins at 6:15 PM** – Development Services Conference Room. The Board of Adjustment reserves this time to discuss informally any item(s) appearing on the Regular Hearing Agenda, including questions/answers. Only procedural decisions will be made in the Pre-Session.
 - Review of proposed Consent Agenda on the current agenda.
 - Review of discussion and continued items on the current agenda for Board clarification.
 - Overview of new Zoning and Development Code.

AGENDA

Consideration of Hearing Minutes: (January 26, 2004)

1. **BA040221** **Reconsideration of a previously imposed condition of approval to verify that the spirit and intent of the condition has been met by the applicant. The request and the condition are the following:**

Request by the **PETERSON RESIDENCE** for a variance to reduce the west street side yard setback from 20 feet to 13 feet to allow a garage addition located at 243 West Caroline Lane in the R1-15, Single Family Residential District.

5. The symmetry of the existing roofline shall be replicated on the proposed garage.

(ADMINISTRATIVELY WITHDRAWN)

2. **BA040227** **A. VOTE FOR RECONSIDERATION OF THE DENIAL BY THE BOARD OF ADJUSTMENT ON 22 DECEMBER 2004 FOR THE FOLLOWING:**

Request by the **WOLFE/MAKAREWICZ RESIDENCE** for a use permit to allow a 27 foot in length RV to be parked in the front yard setback located 1337 West 12th Street in the R1-6, Single Family Residential District

B. IF RECONSIDERATION OF ITEM 'A' ABOVE IS APPROVED, THEN THE BOARD WILL REHEAR THE ABOVE MENTIONED CASE.

3. **BA040132** Request by **NORTH TEMPE MULTI-GENERATIONAL CENTER** for the following located at 1555 North Bridalwreath Street in the R1-6, Single Family Residential District:

- a. ~~Use permit to allow an antenna (microwave receiver) greater than 35 feet above grade.~~ **WITHDRAWN BY APPLICANT**
- b. Use permit to allow parking-by-demand.
- c. Variance to allow parking-by-demand for a building with less than 100,000 s.f. in area.
- d. ~~Variance to waive the required screening for the antenna (microwave receiver).~~ **WITHDRAWN BY APPLICANT**
- e. Variance to increase the maximum allowable building height from 30 feet to 38 feet.
- f. Variance to increase the maximum allowable fence height from 4 feet to 8 feet in the required front yard setback.

(CONT FROM JULY 28, 2004 BOARD OF ADJUSTMENT)
(CONT FROM AUGUST 25, 2004 BOARD OF ADJUSTMENT)
(RE-ADVERTISED DUE TO CHANGE IN DESCRIPTIVE CONTENT)
(CASE CONTINUED TO FUTURE BOARD OF ADJUSTMENT)

4. **BA040261** Request by the **VRBAS-SELL RESIDENCE** for a use permit for a second story addition located at 1547 East Caroline Lane in the R1-15, Single Family Residential District.
(CONTINUED FROM FEBRUARY 1, 2005 HEARING OFFICER)

5. **BA040264** Request by **V1 MOTORSPORTS** for a variance to allow an individual freestanding tenant sign in lieu of a center identification sign located at 2412 North Scottsdale Road, Suite 101 in the C-2, General Commercial District.
(CONT FROM JANUARY 26, 2005 BOARD OF ADJUSTMENT)

6. **BA040266** Request by the **FAINT RESIDENCE** for a variance to reduce the east side yard setback from 14 feet to 3 feet to allow a building addition for a carport cover located at 2516 West Minton Drive in the R1-6, Single Family Residential District.

7. **BA040270** Request by **HOLZGANG RESIDENTIAL APARTMENTS** for the following located at 1226 South Farmer Avenue in the R-3, Multi-Family Residential Limited District:
- a. Variance to waive a portion of the required front yard landscape setback to allow for two (2) required parking spaces.
 - b. Variance to reduce the courtyard separation between buildings from 30 feet to 10 feet and from 30 feet to 17 feet 10 inches.
 - c. Variance to allow maneuvering from the site in a non-forward motion.
 - d. Variance to waive the required parking screen walls along the Farmer Avenue frontage.
 - e. Variance to waive the required landscape island in the new parking area along the Farmer Avenue frontage
- (CONT FROM JANUARY 26, 2005 BOARD OF ADJUSTMENT)**
(APPLICANT WITHDREW)
8. **BA040273** Request by the **SMITH RESIDENCE** for the following located at 428 East Ellis Drive in the R1-6, Single Family Residential District:
- a. Variance to reduce the rear yard setback for an accessory building from 7 feet to 2 feet.
 - b. Variance to reduce the east side yard setback for an accessory building from 12 feet to 1 foot 6 inches.
 - c. Variance to reduce the required setback for an eave at the rear property line from 3 feet to 1 foot 6 inches.
 - d. Variance to reduce the required setback for an eave at the east side yard property line from 3 feet to 1 foot.
9. **BA050005** Request by **A. T. & T./CINGULAR WIRELESS** for a use permit to allow an additional antenna array to an existing monopole located at 1834 East Baseline Road in the R/O, Residential Office District.
10. **BA050006** Request by the **KILLEEN RESIDENCE** for the following located at 1620 South Ventura Drive in the R1-6, Single Family Residential District:
- a. Variance to reduce the north side yard setback from 7 feet to 5 feet to allow a detached garage to replace a legal non-conforming carport structure.
 - b. Variance to reduce the west rear yard setback from 7 feet to 1 foot to ~~allow an accessory building~~ **replace a legal non-conforming carport structure. MODIFIED BY STAFF**
 - c. Variance to reduce the west rear setback for an eave from 3 feet to 0 feet.
11. **BA050007** Request by the **HULSMAN RESIDENCE** for a variance to reduce the west side yard setback from 20 feet to 15 feet for a building addition at the southwest corner of the residence located at 2110 East La Vieve Lane in the AG, Agricultural District.

12. **BA050009** Request by **PUENTE-MARTINEZ & REINHARDT RESIDENCE** for the following located at 1019 South Lola Lane in the R1-6, Single Family Residential District:
- a. Variance to increase the maximum allowable wall height in the front yard setback from 4 feet to 5 feet.
 - b. Variance to reduce the north side yard setback from 7 feet to 3 feet for a building addition to align with the existing setback for the residence.
 - c. Variance to reduce the required setback for an eave at the north side yard property line from 3 feet to 2 feet.
13. **BA050010** Request by the **ALLEN RESIDENCE** for a variance to reduce the east rear yard setback from 20 feet to 12 feet for a detached structure (horse stall) located at 8637 South Newberry Lane in the AG, Agricultural District.
14. **BA050013** Request by **GETHSEMANE LUTHERAN SCHOOL** for a variance to reduce the required number of parking spaces from 56 to 48 located at 1005-1011 East Guadalupe Road in the R/O, Residential District.
(CONTINUED TO MARCH 23, 2005 BOARD OF ADJUSTMENT)
15. **BA050014** Request by the **YORK RESIDENCE** for the following located at 1442 East Citation Lane in the AG, Agricultural District:
- a. Variance to increase the maximum allowable lot coverage from 20% to 25%.
 - b. Variance to reduce the north rear yard setback from 20 feet to 10 feet for a detached garage.
 - c. Variance to reduce the west side yard setback from 20 feet to 7 feet for a detached garage.
16. **BA050017** Request by the **DEGRAAF RESIDENCE** for a use permit to reduce the west side yard setback by 20% (from 15 feet to 12 feet) for a home addition located at 8232 South Pecan Grove Circle in the R1-15, Single Family Residential District.

Note: This case to be reviewed under the newly adopted Zoning and Development Code in effect 02/22/2005.

CASE REVIEW

Review of the following for possible revocation of use permits per the Board of Adjustment's direction due to non-compliance with conditions of approval:

17. **BA030183** Request by **SCOTTSDALE MOTOR COMPANY** for a use permit to allow the sales and leasing of motor vehicles including the sale of accessories located at 2404 North Scottsdale Road in the C-2, General Commercial District.
(Use permit was issued 27 August 2003.)
18. **BA030219** Request by **SCOTTSDALE SUZUKI** for a use permit to allow an auto service center located at 2412 North Scottsdale Road in the C-2, General Commercial District.
(Use permit issued 07 October 2003.)
19. **BA040199** Request by **VISION ONE MOTORSPORTS** for a use permit to allow the installation and sale of automotive accessories located at 2412 North Scottsdale Road, Suite Nos. 101-103, in the C-2, General Commercial District.
(Use permit issued 27 October 2004.)

Advertised Agenda, 2/3/05; 11:30 AM

Modified to include pre-session item regarding new Zoning Code, 2/4/05; 8:00 AM

Modified to indicate BA040221-Peterson Residence Verification as Admin.

Withdrawn, 2/10/05; 12:00 Noon

Modified to indicate Item No. 14 - BA050013 0 Gethsemane Lutheran School

continued to 3/23/05 Board of Adjustment, 2/14/05; 8:30 AM.

Modified 2/17/05 to indicate BA040221 (Peterson Residence) as administratively withdrawn; BA040270 (Holzgang Residential Apartments) as applicant withdrew; and change in Variance B for BA050006 (Killeen Residence)

Modified 2/23/05 to indicate BA040132 – North Tempe Multi-Generational Center continued to a future Board of Adjustment meeting.